

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JEREMY P. PUCKETT,

11 Petitioner,

No. CIV S-04-0604 MCE PAN P

12 vs.

13 D.L. RUNNELS, WARDEN,

14 Respondent.

FINDINGS AND RECOMMENDATIONS

15 _____/
16 By an order filed December 1, 2004, petitioner was granted a thirty day extension
17 of time in which to file a petition for writ of habeas corpus with either the \$5.00 filing fee or an
18 application for leave to proceed in forma pauperis affidavit. The thirty day period has now
19 expired, and petitioner has not filed a petition, either with the filing fee or with an application for
20 leave to proceed in forma pauperis. Accordingly, IT IS HEREBY RECOMMENDED that this
21 action be dismissed without prejudice.

22 These findings and recommendations are submitted to the United States District
23 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
24 days after being served with these findings and recommendations, petitioner may file written
25 objections with the court. The document should be captioned "Objections to Magistrate Judge's
26 Findings and Recommendations." Petitioner is advised that failure to file objections within the

1 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
2 F.2d 1153 (9th Cir. 1991).

3 DATED: February 15, 2006.

4
5 
6 UNITED STATES MAGISTRATE JUDGE

7 /001; puck0604.fpf
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26